

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

GREEN & HEALTHY HOMES
INITIATIVE, Inc., *et al.*,

PLAINTIFFS,

v.

ENVIRONMENTAL PROTECTION,
AGENCY, *et al.*,

DEFENDANTS.

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No. 1:25-cv-01096-ABA

NOTICE OF SUPPLEMENTAL AUTHORITY

On June 5, 2025, the Fourth Circuit granted the government’s motion to stay the injunctions granted in *Sustainability Institute v. Trump*. No. 25-1575 (4th Cir. June 5, 2025) (attached as ECF ____). As this Court recalls, Plaintiffs in the instant case relied heavily on *Sustainability Institute* in their motion for summary judgment and at oral argument. In the Fourth Circuit’s order granting a stay, the court agreed that “the Government is likely to succeed in showing that the district court lacked subject matter jurisdiction over Plaintiffs’ claims.” *Id.* at 3 (internal quotations omitted). The Fourth Circuit determined that the Tucker Act likely deprived the district court of jurisdiction and distinguished *Bowen v. Massachusetts*. *Id.* at 3–4 (citing *Bowen v. Massachusetts*, 487 U.S. 879 (1988)).

